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*Attorneys for Michael F. Thomson, Chapter 7 Trustee*

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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH**

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In re:

DALE E. CAPPS and  
TYNA M. CAPPS,

Debtors.

Bankr. Case No. 14-21632

Chapter 7

The Honorable William T. Thurman

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**NOTICE OF TRUSTEE'S THIRD MOTION TO EXTEND  
DEADLINE TO FILE COMPLAINT OBJECTING TO DISCHARGE  
AND NOTICE OF OPPORTUNITY FOR HEARING**

**(Objection Deadline: December 29, 2014 at 4:30 p.m. Mountain Time)  
(Reserved Hearing Date: January 8, 2015 at 9:30 a.m.)**

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**PLEASE TAKE NOTICE** that Michael F. Thomson, trustee of the above-captioned bankruptcy estate (the "Trustee"), has filed with the United States Bankruptcy Court for the District of Utah the **TRUSTEE'S THIRD MOTION TO EXTEND DEADLINE TO FILE COMPLAINT OBJECTING TO DISCHARGE** (the "Motion"). Pursuant to the Motion, the Trustee is requesting an extension, until March 9, 2015, for filing a complaint concerning the Debtors' discharges under 11 U.S.C. §727.

**YOUR RIGHTS MAY BE AFFECTED.** You should read this notice and the Motion carefully and discuss them with your attorney, if you have one in this case. If you do not have an attorney, you may wish to consult one.

**NO HEARING WILL BE CONDUCTED ON THIS MOTION UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE COURT ON OR BEFORE THE OBJECTION DEADLINE SET FORTH BELOW.**

If you do not want the Court to grant the relief sought in the Motion, or if you want the Court to consider your views on the Motion, then you or your attorney must:

(1) On or before **Monday, December 29, 2014 at 4:30 p.m. Mountain Time** (the “Objection Deadline”), file a written response specifically delineating the nature of your objection at:

Clerk of the United States Bankruptcy Court  
350 South Main Street, Room 301  
Salt Lake City, UT 84101

If you mail your response to the Court for filing, you must mail it early enough so that the Court will receive it on or before the Objection Deadline specified above. You must also serve a copy on the Trustee’s undersigned counsel at the address specified above.

(2) Attend the hearing on January 8, 2015 at 9:30 a.m., Courtroom No. 2B, 5th District Court State of Utah, 206 West Tabernacle, St. George, Utah. There will be no further notice of the hearing, and failure to attend the hearing will be deemed a waiver of your objection.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting the relief requested in the

Motion. In the absence of a timely filed response, the undersigned may and will ask the Court to enter an order granting the Motion without a hearing.

DATED this 8<sup>th</sup> day of December, 2014.

**DORSEY & WHITNEY LLP**

/s/ Nathan S. Seim  
Michael F. Thomson  
Peggy Hunt  
Nathan S. Seim  
*Attorneys for Chapter 7 Trustee*

## **CERTIFICATE OF SERVICE – BY NOTICE OF ELECTRONIC FILING (CM/ECF)**

I hereby certify that on the 8<sup>th</sup> day of December, 2014, I electronically filed the **NOTICE OF TRUSTEE'S THIRD MOTION TO EXTEND DEADLINE TO FILE COMPLAINT OBJECTING TO DISCHARGE AND NOTICE OF OPPORTUNITY FOR HEARING** with the United States Bankruptcy Court for the District of Utah by using the CM/ECF system. I further certify that the parties of record in this case, as identified below, are registered CM/ECF users and will be served through the CM/ECF system.

- Bryan Adamson badamson@dixielegal.com, rcampbell@dixielegal.com
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- Michael F. Thomson tr thomson.michael@dorsey.com,  
UT17@ecfcbis.com;montoya.michelle@dorsey.com
- United States Trustee USTPRegion19.SK.ECF@usdoj.gov

## **CERTIFICATE OF SERVICE – MAIL, OTHER**

I further certify that on the 8<sup>th</sup> day of December, 2014, I caused to be served a true and correct copy of the foregoing as follows:

**Mail Service – By regular first class United States Mail, postage fully pre-paid, addressed to:**

Dale & Tyna Capps  
1812 West Sunset Blvd., #1-431  
Saint George, UT 84770

/s/ Nathan S. Seim